

20 September 1976

*SSCI Guidelines*

SSCI

77-0147/3

MEMORANDUM FOR: Deputy Director for Operations

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FROM :

SUBJECT :

Covert Action Reporting Procedures  
Proposed by Senate Select Committee on  
Intelligence Staff

1. The current state of play in negotiations with the Staff of the Senate Select Committee on Intelligence (SSCI) re CA reporting to the Committee is described below. It derives from the DCI's appearance before the SSCI on 29 July, the DDO's meeting with Bill Miller on 3 August, and subsequent sessions [redacted] had with the SSCI Staff, on 8 and 9 September, and by phone with Rick Inderfurth on 10 September. (Miller, Mike Madigan and Inderfurth all took part on 9 September.)

2. The SSCI Staff has asked for three categories of CA reporting beyond the oral "notification" and Section 662 of the Foreign Assistance Act of 1961:

a. "Termination/Evaluation" Reports on Major CA Programs (i.e., after-action reporting)

We have forwarded separately to the DDO proposed written reports on the first two such programs undertaken since the SSCI's formation.

ACTION: We need to decide whether such reporting will be done orally or in writing.

b. Semi-Annual Status Reports on all CA Programs

The SSCI Staff understands that we will probably schedule these to follow somewhat our required semi-annual reports to the NSC (e.g., in mid-October and mid-April). They also understand that these will not simply be drop-copies of the reports to

the NSC (although they would like that), and that they will deal with both "major" CA programs (which have individual Presidential findings), and "minor" and "infrastructure" CA operations covered in the omnibus findings. They expect these to be written reports. Format has not been discussed.

ACTION: Chief/SS/CAG recommends we try to settle on annual reports to the SSCI, rather than semi-annual; I doubt that we can gain this concession. We need to resolve this point, confirm above understandings, and develop guidelines for format and content.

c. Supplementary Reporting on Major Projects Covered in 29 July Briefing

This is being pushed particularly by Inderfurth, and has the most significance in that it tends to bring into question the further practice of summary oral notifications which have been acceptable to all committees in the past. I have made no commitment that this supplementary detailed reporting, outlined in the following paragraph, will be forthcoming, but we need to consider at least oral briefings covering some of the points requested.

3. Inderfurth, in two phone conversations subsequent to my meeting with the Staff on 8 September, reported by [redacted] of OLC who participated, spelled out the following paragraphs of attachment to CSI 50-20 as those containing the further detail on major CA ops which the Committee needs:

1. Summary, and expected result of action. (He does not expect that we will record the reactions of persons with whom coordinated, to which I objected.)
2. Statement of proposal, including its origin. (He understands that we will probably consider the origin internal Executive branch privileged information, but asked for it anyway.)

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3. (Not needed.)
4. Risks and Contingency Planning, including our references of disclosure.
5. (Not requested or expected.)
6. Cost
7. (Not expected.)

The SSCI Staff, which received a copy of CSI 50-20 in its Church Committee incarnation, knows that it is now under revision, but has used it for guidelines.

4. Downstream, Inderfurth hopes we will be able to give the SSCI briefings on the more routine, continuing activities of the Stations, to give a better context for understanding the role of the Stations and to give context for the major CA actions when they arise. His other points are covered in [redacted] M/R.

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5. Recommendations: Subject to C/SS/CAG comment, I propose that we recommend to the DDCI and DCI:

- a. Brief written termination/evaluation reports to the SSCI after similar reporting has been made to OAG.
- b. Written semi-annual status reports based on, but sharply edited from, those prepared for the NSC, eliminating all subjects other than CA activities, but including general and statistical reporting on infrastructure.
- c. Oral follow-up reporting on existing major projects covering points 1, 2, 4 and 6 in paragraph 3 above. The DCI, DDCI or DDO might appropriately present such briefings.

[redacted]  
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SA/DO/O [redacted]